

The Honorable Ricardo S. Martinez

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

JONATHAN BERALL, M.D., M.P.H.,

Plaintiff,

v.

VERATHON INC., et al.,

Defendants.

Case No. 2:21-cv-00944-RSM

**STIPULATED MOTION TO EXTEND  
DEADLINES TO SERVE EXPERT  
REPORTS AND ORDER**

NOTE ON MOTION CALENDAR:  
May 17, 2022

Plaintiff Jonathan Berall, M.D., M.P.H. (“Dr. Berall”) and Defendant Verathon Inc. (“Verathon”) (together, the “Parties”) hereby file this stipulated motion pursuant to Local Rules 7(d)(1) and 10(g).

The Parties’ deadline to serve opening expert reports under FRCP 26(a)(2) is Thursday, May 26, 2022, and the deadline to serve rebuttal expert reports June 24, 2022. The Parties are currently in the process of scheduling and conducting fact depositions, including of Verathon pursuant to Fed. R. Civ. P. 30(b)(6), Plaintiff Dr. Berall, Verathon fact witnesses, and several third-parties. Because of scheduling conflicts, several witnesses are unavailable to sit for depositions sufficiently in advance of deadlines for expert reports in which their testimony is expected to be relevant. Thus, in order to accommodate the availability of witnesses and to afford the Parties sufficient time to complete depositions and prepare their expert reports, the Parties agree and

1 stipulate to a two-week extension of the deadlines to serve expert reports as set forth below. The  
 2 parties agree that these extensions will not require any subsequent deadlines to be extended. In  
 3 particular, the parties have coordinated to ensure that the anticipated experts will be available for  
 4 their depositions to be taken prior to the date previously set for the close of all discovery (July 25,  
 5 2022), which is not altered under the present proposal. Accordingly, the Parties respectfully  
 6 request that the Court grant this stipulated motion.

Deadline	Original Date	Proposed New Date
Report from expert witnesses under FRCP 26(a)(2) due	5/26/2022	6/9/2022
Rebuttal expert reports due	6/24/2022	7/8/2022

12 SO STIPULATED.

14 Dated: May 18, 2022

Respectfully submitted,

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 Jonathan Berall, M.D., M.P.H.

**ORDER**

This matter comes before the Court on the Parties' Stipulated Motion to Extend Deadlines to Serve Expert Reports. After considering the Parties' Stipulated Motion, IT IS HEREBY ORDERED THAT reports from expert witnesses under FRCP 26(a)(2) shall be due on June 9, 2022, and that rebuttal reports from expert witnesses shall be due on July 8, 2022.

IT IS SO ORDERED.

DATED this 18<sup>th</sup> day of May, 2022.



RICARDO S. MARTINEZ  
CHIEF UNITED STATES DISTRICT JUDGE